



MICHAEL R. PENCE, Governor
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY
302 West Washington Street
Indianapolis, IN 46204

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
Conference Center Room B

October 4, 2016

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hawkins at 9:00 a.m. on October 4, 2016.

(a) Commissioners present at the Commission meeting:

Ron Brown
Gregory Furnish
John Hawkins, Chairman
Todd Hite, representing the Commissioner, Department of Health
James Jordan
Matt Mitchell, Vice-Chairman
Jessica Scheurich
Craig Von Deylen

(b) Commissioners not present at the Commission meeting;

Kevin Goeden, representing the Commissioner, Department of Labor
James Hoch
Patrick Richard

(c) The following departmental and support staff were present during the meeting;

Legal and Code Services

Dean Illingworth, State Building Law Compliance Officer
Denise Fitzpatrick, Code Specialist
Todd Stearns, Code Specialist
James Schmidt, Deputy Attorney General



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2. Old Business

Chairman Hawkins called for a motion for approval of the August 2, 2016 and the September 7, 2016 minutes. Commissioner Hite moved to approve the minutes, with the second made by Commissioner Scheurich. It was voted upon and carried.

3. Discussion of Elevator Mechanics Test

Tom Hendricks, Chief Inspector of the Elevator and Amusement Rides Division, spoke concerning his position on the Elevator Mechanics test. He stated it would help him when he received applications from out-of-state mechanics, and this was to comply with statute. He also noted that, if adopted, the state test would become the third avenue for getting a Mechanics license, and that all three avenues (the CET, the Mechanics exam provided by the union, and the state test) would require a certain amount of experience. Michael Cory, ThyssenKrupp Elevators, spoke against the test, saying that the test, without an apprenticeship program of its own as the two established test have, would "lower the bar". Bart Geisler, lobbyist, also addressed the Commission, echoing Mr. Cory's position. Charles Ernstes, Metro Elevators, addressed the Commission, explaining his experiences when he sat for his Mechanics license in various states, those with reciprocity and those without. Following discussion amongst the Commissioners and Deputy Attorney General James Schmidt, Chairman Hawkins asked Mr. Hendricks to write out what was required to document work experience and training.

4. Re-adoption of 675 IAC 22-2.2-22 NFPA 386

Commissioner Hite moved to approve the re-adoption of 675 IAC 22-2.2-22 NFPA 386, with the second by Commissioner Von Deylen. It was voted upon and carried.

5. Re-adoption of 685 IAC 1 Regulated Amusement Rules

Commissioner Hite moved to approve the re-adoption of 685 IAC 1, with the second by Commissioner Mitchell. It was voted upon and carried.

6. Discussion of rulemaking action for 675 IAC 19-4 Indiana Energy Code

The Indiana Energy Code was set to expire January 1, 2017. It was noted the members could do nothing, and let the code expire. Or they could apply for an executive order for a one-year extension of the expiration date. If they were to immediately begin work and everything happened in a timely fashion, they could adopt a newer version of the Energy Code. Following discussion, Commissioner Brown moved that they seek the executive order for an extension. Commissioner Scheurich made the second. It was voted upon and carried. Chairman Hawkins asked that the Energy Code decision be placed on the November agenda.

7. Ordinances

Long Beach Building Code Chapter 150 Long Beach, Indiana

Peter Byvoets, Long Beach Town Council President, presented the Long Beach Building Code Chapter 150 for Commission approval. During discussion, Chairman Hawkins noted the ordinance had some conflict with statute such as having Class II structure plans to be signed and stamped by professional engineers or architects, it still did not follow the template, and it had not been adopted and signed by the members of the town council. Also presenting to the Commission were Kenneth Purze and Ernie Summers, speaking in opposition to the ordinance. Following further discussion, Mr. Byvoets was told to return with a corrected ordinance.

Building Ordinance No. 158 Vernon, Indiana

Building Ordinance No. 955 North Vernon, Indiana

Walter Knaepple, Fire and Building Code Enforcement, having been working closely with the two towns, spoke in favor of their ordinances. Chairman Hawkins noted the ordinances appear to have been copied from the county's ordinance, and led a discussion as to how that affected their documents. Commissioner von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

Building Ordinance No. 812 Ogden Dunes, Indiana

Chairman Hawkins noted the ordinance had been submitted and denied in March of 2016. It had been resubmitted, but still contained conflicts with statute. It also required an architect signature for a Class II structure. It was to be returned to the submitter for corrections.

8. Discussion and Commission action on Petitions for Review (timely filed unless otherwise noted)

Escape, Evansville Order – Fire and Building Code Enforcement *Commission to determine timeliness*

Chairman Hawkins, to avoid a possible conflict of interest due to previous discussions with the proponent, brought this item forward on the agenda and handed the gavel off to Vice-Chairman Mitchell. Following discussion, it was determined that the appeal had been filed four days too late, and had been submitted via email instead of regular mail. Commissioner Von Deylen moved to deny and dismiss the petition, with the second by Commissioner Brown. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission for a brief break at 10:29 am. It was called back to order at 10:42 am.

9. Discussion and Possible Commission action on Variance 16-02-35 Legacy Sports Club Building #1 Clubhouse Addition, Lafayette

This item had been brought forward on the agenda by request. The Commission had received a letter from the Lafayette Fire Department expressing concern that the condition on the variance was not being followed. The variance had been passed with the condition that when public water was available sprinklers were to be installed. Claudia Gary, Operations Manager for the facility, spoke as proponent. She stated they had begun contracting for sprinkler installation with Brenneco, but there had been delays on their part, and they had recently been told the installation should be complete within six weeks. She said she felt that technically they had complied with the variance conditions. Ron Ritchey, formerly with the Lafayette Fire Department, and Tim Callas, proponent for the original variance, both provided the Commission what they remembered about the meeting and what was agreed to during the hearing. They remembered they had agreed to install a 13D styled system with 15 minute water supply in the laundry room and on the second floor, but nothing was in the application about it. A six month time frame was called out in the minutes for the installation, but they had exceeded this due to delays encountered by the sprinkler company. Commissioner Brown moved that the minutes reflect the testimony of the proponent that they moved forward with installing a sprinkler system by entering into a contract in May expecting it to be completed within six months, and have been given assurances from the installer that, after delays were encountered, it will now be complete by December 1, 2016. Commissioner Jordan made the second. It was voted upon and carried.

10. Variances

Tabled

A/B

16-09-13 Days Inn Jasper, Jasper

This variance had appeared on the tabled list in error. Commissioner Scheurich moved to approve, with the second by Commissioner Von Deylen. They were voted upon and carried with one nay.

16-09-57 McDonalds W. 38th ACI, Indianapolis

This variance had appeared on the tabled list in error. Commissioner Scheurich moved to approve, with the second by Commissioner Von Deylen. They were voted upon and carried with one nay.

C/D/NVR

16-05-02 Removable Staircase Plastic Chain, Peru – incomplete

Commissioner Von Deylen moved to deny based upon the substance of the variance, with the second by Commissioner Mitchell. It was voted upon and carried.

16-05-06 South Deck Cover, Indianapolis - incomplete

Commissioner Von Deylen moved to deny based upon the substance of the variance, with the second by Commissioner Scheurich. It was voted upon and carried.

16-05-07 Regional Mental Health, Hammond – incomplete

Commissioner Von Deylen moved to deny based upon the substance of the variance, with the second by Commissioner Hite. It was voted upon and carried.

16-05-76(e)(f)(g) Emerald Acres Wedding Barn, Whitestown

Dennis Bradshaw, FP&C Consultants, spoke as proponent. These three applications, filed as a paper application, had not been discussed and voted on during the last meeting. A compliant exterior stair will be provided, as approved in the August hearing. Variance (e) is to allow a non-compliant rise and run of 7.8” and 9.25” due to existing heavy timber beams. The stairs will have enclosed risers, and compliant guardrails will be provided with a reduced bottom handrail extension to protect the egress width of the bottom landing. Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (f) was to allow handrails which were not fully compliant. The rails will not extend the full tread width required so that the egress width of the bottom landing is not reduced. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (g) was to allow the bottom landing of the stair to be less than the 44” in depth required by code. Existing heavy timber beams will not allow full compliance. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

16-06-01 Lincolnshire Place Memory Care Facility, Ft. Wayne

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-06-02 Options for Better Living Housing Options II, Bloomington

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Mitchell. It was voted upon and carried.

16-06-09 Johnny's Market, Indianapolis

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-07-01 Chairlift Installation, Newtown – incomplete

No proponent was available for questions or to provide the missing information. Commissioner Von Deylen moved to table, with the second by Commissioner Furnish. It was voted upon and carried.

16-07-63 NASCAR Carwash, Indianapolis

Brent Hayworth, attorney, spoke as proponent. A carwash, which was purchased as a modular kit, was found to be non-compliant with accessibility requirements. The request had been to allow the carwash to remain as built since the non-compliant dispensers were built into walls in the factory and would require replacement of the walls instead of repositioning. The owners, Jerome Williams and his wife, were also present, and the proponent explained they owned the Shell station across the street from the carwash. They wanted to post signs with the phone number of the station for those needing assistance to call after hours. Following discussion and noting the variance did not apply to nor protect the owners from Federal accessibility requirements, Commissioner Brown moved to approve with the second by Commissioner Jordan. It was voted upon and carried with two nay.

16-08-02 Cluckers, Corydon

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-08-03 St. James Gymnasium Locker Room, Lafayette

Dan Keiser, Cornerstone Design, spoke as proponent. He had provided the cost sheet for sprinklering the locker room as the Commission had requested. The proponent requested to be allowed to omit the sprinkler system in the two locker rooms, and to completely remove the piping, etc. to avoid the appearance that the areas were sprinklered. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried with one nay.

16-08-38(a)(b)(c) Anson Senior Living, Zionsville

No proponent was present for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Furnish. It was voted upon and carried.

16-09-02 Indiana Grand Stables, Shelbyville

John Keeler, attorney, spoke as proponent. The request was to allow the facility to store a three day supply of hay in the barns, with code allowing two days. The also requested they be allowed to store it in the center of the aisles, away from combustible walls and structures. The local fire officials do not object to the variance. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-09-03 Spring Valley Camp Pool, Middletown – incomplete

Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-09-48 Geiger Tank, Markle

No proponent was present for questions. Commissioner Von Deylen moved to deny, with the second by Commissioner Scheurich. It was voted upon and carried.

16-09-53 Sprinklers Under Ovens, Tell City

Mark Spellmeyer, ATTC Manufacturing, spoke as proponent. The request was to omit sprinklers under the paint ovens. The area under the ovens are 5 feet high and are used for employees to move from one side to the other when performing maintenance and repairs. Nothing is stored beneath the ovens. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried with one nay.

16-09-77(a)(b) Blossom Chevrolet, Indianapolis

Kevin Carter, Blossom Chevrolet, spoke as proponent. Variance (a), a request to allow the existing building to be more than 400' from a hydrant, had been in an A category. Commissioner Scheurich moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was to allow the remodel work and addition to be done without upgrading the fire wall to be structurally independent. The fire wall had complied with the previous code. It had been built of 10" concrete blocks, with steel rafters concreted into the wall. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-09-79(a)(b) Muscatatuck Camp, North Vernon

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Mitchell. It was voted upon and carried.

16-10-39 Entrance Chair Lift, Cambridge City

Chad and Brad Bowman, members of #5 F&AM Cambridge Lodge, spoke as proponents. The request was to allow the installation of a chair lift to an existing stair which would leave less than the required clearance between the chair lift and the railing. It would be installed on the left stair, leaving the right stair unobstructed. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

Regular Variance

A/B variances

A request for a separate question on 16-10-02 Forks Valley Woodworking, Middlebury and 16-10-07 Mt. Vernon Middle School Kitchen Addition, Fortville, had been made. The Chairman then called for any other variances in the block vote to be called out, or any abstentions. Chairman Hawkins abstained from 16-10-04 Washington Elementary School Design Build, Warsaw. Commissioner Scheurich moved to approve all eligible "A" and "B" variances, with the second by Commissioner Mitchell. It was voted upon and carried.

The following variances were approved as submitted:

- 16-10-01 Andrew Residence, West Point
- 16-10-03 Affordable Storage New Building, Warsaw
- 16-10-04 Washington Elementary School Design Build, Warsaw
- 16-10-05 Graduate Hotel, Bloomington

16-10-06 Rolling Maul Concession/Restroom Building, Lafayette
16-10-08 Indoor Gymnasium Climber, Fishers
16-10-09 747 College Ave. Mixed Use Project, Indianapolis
16-10-10(a)(b)(c)(d)(e) EE and Multiple Building Renovation, West Lafayette
16-10-11 BMO Plaza Elevator Lobbies, Indianapolis
16-10-31 A&M Woodworking, Millersburg
16-10-35 Indiana Spine Hospital Canopies, Carmel
16-10-43(a)(b) Saxony Senior Living, Fishers

16-10-02 Forks Valley Woodworking, Middlebury

Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried with one nay.

16-10-07 Mt. Vernon Middle School Kitchen Addition, Fortville

Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried with one nay.

C/D/NVR

16-10-12(a)(b) Quad-Plex Residential Housing, Warsaw

The variance had been withdrawn by the proponent.

16-10-13 Parkview Randallia Entrance 2 Foundation Package, Ft. Wayne

Aaron Bundy, RTM Consultants, spoke as proponent. The request was to be allowed to design the atrium smoke control system using NFPA 101 Life Safety Code requirements. The existing facility configuration and constraints make using the IBC method of smoke control difficult and more expensive. Following discussion, Commissioner Hite moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-10-14 Little Crow Loft Apartments, Warsaw

Carrie Ballinger, RTM Consultants, spoke as proponent. An existing factory/warehouse building is being converted to an apartment building with Type IIIB construction. The building, with 4-story towers, will have a single exit stairway which discharges to an exit passageway on the first floor. This exceeds the number of stories allowed in Table 1021.2(2). The exit stairway will be enclosed with 2-hour fire barriers, discharging to a 2-hour rated exit passageway and to the

exterior. There will be a maximum of 2 units per story, and the building will be protected by an NFPA 13 system throughout. Fire alarms and smoke detectors will be in all common areas and smoke alarms will be in each unit. Commissioner Von Deylen move to approve, with the second by Commissioner Brown. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission for lunch at 11:56 am. It was called back to order at 1:00 pm. Commissioner Brown was no longer in attendance.

16-10-15(a)(b) Allen County Christian Fellowship Addition, New Haven

Tim Callas, J&T Consulting, spoke as proponent. Variance (a) had been eligible for the block vote. Commissioner Scheurich moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was to omit the sprinkler system. The proponent stated there is no municipal water available in the area. The building has 4 exits and 128 inches of exit width. A monitored fire alarm system will be provide throughout the addition which is to be separated with a 2-hour fire wall. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried with one nay.

16-10-16 E Tank LTD New Building Additions, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow the addition to be 1400 feet from the fire hydrant, which exceeds the 400 feet allowed by code. The site is served by a well, and it cannot support a sprinkler system. Following presentations by Adam Newsome and Margie Bovard of the Indianapolis Fire Department who were against the variance, Commissioner Von Deylen moved to table so that the proponent could speak with the owner. Commissioner Hite made the second. It was voted upon and carried.

16-10-17(a)(b) 22nd and Delaware Apartments, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request in variance (a) was to allow the owner to provide a transition strip to be used with the patio doorway in Type B units. The threshold exceeds the allowable ¾" height. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (b) was to allow the seams in exposed ductwork within the units to not be sealed. They are located within the spaces being conditioned by the ductwork which is exposed. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

16-10-18 Cummins Indianapolis Distribution Headquarters, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Code requires generators in high rise buildings to have manual start and transfer within the fire command center. The request is to omit this feature due to the remote location of the generator from the fire command center. The company feels that it is a personnel safety issue for them. Following discussion, Commissioner Von Deylen moved to approve with the condition that signage giving the location of the manual start is posted in the command center. Commissioner Mitchell made the second. It was voted upon and carried.

16-10-19 Vorderman Motorwerks VW Addition, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit a sprinkler system in the repair garage. Part of the wooden structure is to be demolished and rebuilt with noncombustible construction for an increase of 1,038 square feet. Jim Murua, Ft. Wayne Fire Department, had no objections to the variance. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

16-10-20 Country Lake Worship Center, Underwood

Ralph Burgess, DesignBuild, and Ross Kencht, Country Lakes Worship Center, spoke as proponents. A pre-engineered, metal building, with sprinklers and 7 exits, is being constructed to be used as a worship center 3 to 5 hours daily during summer camp in June and July, and 3 to 5 hours per week throughout the rest of the year. At the current time, there is no public water available, and the request was to allow a 2" water main supply to be used, in lieu of the 6" main required by code. The proponents were hopeful that water would be available within two years. Following discussion, Commissioner Von Deylen moved to approve with the condition that the variance would be valid until October 4, 2018. Commissioner Scheurich made the second. It was voted upon and carried.

16-10-21 Kokomo Maple Crest Middle School, Kokomo

Ed Rensink, RTM Consultants, spoke as proponent. The request was to be allowed to direct the temporary means of egress for the first floor during construction through a classroom to the exterior. This would involve the 2016-17 school year. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

16-10-22(a)(b)(c) Carmel Midtown North Garage, Carmel

Ed Rensink, RTM Consultants, spoke as proponent. The request in variance (a) was to allow openings in the exterior wall located on the property line adjoining the Duke Energy substation. The property is not build-able per the proponent, with no exterior fire exposure hazard. Following

discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (b) was to allow mechanical ventilation to be provided on the first floor. Because of the tenant space needed on the first floor, strict compliance is not possible. Following discussion, Commissioner Von Deylen moved to table to allow the proponent to provide the letter from the engineer. Commissioner Furnish made the second. It was voted upon and carried. Variance (c) was to omit the standby power generator for the elevator. The power supply to the elevator will be encased in concrete, thereby protecting it from fire. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

16-10-23(a)(b)(c) 5858 North College Avenue Apartments, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variances (a) and (b) had been eligible for the block vote. Commissioner Von Deylen moved to approve both, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (c) was to allow an egress stair serving the 3-story portion of the building to not have a rated enclosure between the first and second floors. The stair starts on the third floor and then discharges into the 2-story amenity/lobby space. The amenity/lobby area will be sprinklered. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

Commissioner Mitchell left the meeting at 2:15 p.m.

16-10-24 North of North Parking Garage, Fishers

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit the standby power for the open parking garage. The proponent stated the upper levels of the garage would allow the products of combustion to dissipate and not create a life safety hazard. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

16-10-25 IMH Administration Building, Franklin

Melissa Tupper, RTM Consultants, spoke as proponent. Service ramps had been installed to get equipment into the courtyard for maintenance, not as a means of egress from the courtyard. The ramps are 1:4, while compliant egress ramps would be 1:8. The request was to allow the 1:4 ramps to remain in place. The local fire official, who had not objected to the variance, had requested that locked gates be placed at the top of both the ramp to the courtyard and from the courtyard to the parking lot to deter pedestrian use. Commissioner Von Deylen moved to approve with the condition a locked gate be provided on the ramp to the courtyard. Commissioner Jordan made the second. It was voted upon and carried.

16-10-26(a)(b)(c)(d) Library Square, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Staff had recommended no variance required on these four variances. The proponent had been in contact with the plan reviewer who had been confused about the variances since their letter had only asked for information on the stairwell. Following their meeting, the plan reviewer agreed that the variances were not required, but the proponent preferred to move forward with them. Commissioner Von Deylen moved no variance required on variance (a), (b), (c), and (d). Commissioner Jordan made the second. It was voted upon and carried.

16-10-27 Shattered Nightmares Haunted House, Terre Haute

Christina Collester, RTM Consultants, spoke as proponent. The request was to allow an existing retail building built in 1961 to be used as a special amusement annually without installing sprinklers. The owners have been working with the local fire department, and will be providing smoke detectors, fire extinguishers, emergency lighting, illuminated exit signs, trained employees with flashlights and 2-way radio communication, 3 managers, 2 security staff, and 2 EMT's on site. Temporary walls will be 8-10 feet, treated with fire retardant, and will have no ceilings. The building will be open for staff from August through September for set-up, open to the public for 14 nights in October, and staff in November for tear-down. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

16-10-28(a)(b) Salomon Barn, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was to allow the use of a Chapter 34 analysis to convert the barn, which is not a Class I structure, into an event space. The City of Ft. Wayne had done a structural renovation in 2004, including a new concrete floor, but had never officially changed the barn to a Class I structure. Jim Murua, Ft. Wayne Fire Department, asked that a monitored alarm system be installed, and that no loose straw or bales which have not been treated with fire retardant be allowed. Commissioner Von Deylen moved to approve with the condition that no loose straw and bales of hay must be treated with fire retardant. Commissioner Scheurich made the second. It was voted upon and carried. Variance (b) was to omit panic hardware and to allow manually operated locking devices with signs posted stating the door is to remain unlocked when building is occupied. Commissioner Von Deylen moved to approve with the condition that signs must be posted stating doors must remain unlocked during events. Commissioner Scheurich made the second. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission for a short break at 2:36 p.m. It was called back to order at 2:45 pm.

16-10-29(a)(b)(c) Firefighters Credit Union, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. Variance (a) had been eligible for the block vote. Commissioner Von Deylen moved to approve with the second by Commissioner Scheurich. It was voted upon and carried. Variance (b) was to omit the accessible counter height at the reception desk since it was not a point of sale, as the inspector cited. Financial transactions are done on the first floor with compliant counters. Following discussion, Commissioner Von Deylen moved no variance required, with the second by Commissioner Jordan. It was voted upon and carried. Variance (c) was to allow a sink, installed in a 36" tall cabinet in an office boardroom to not be accessible. Jeff Dean, City of Indianapolis, addressed the Commission, with his interpretation of the citation. Following discussion, Commissioner Von Deylen moved no variance required, with the second by Commissioner Scheurich. It was voted upon and carried.

16-10-30 Meadow Brook Farm Event Barn, Goshen

Carrie Ballinger, RTM Consultants, spoke as proponent. The request was to allow the use of a Chapter 34 analysis to convert a barn into an A occupancy. A Chapter 34 conversion was being done to convert a barn to a Class I structure. It passes the evaluation with the installation of fire alarm system and smoke detection system throughout, and the structural evaluation was good overall, and the areas which needed reinforcement will be addressed. Adequate exits are provided and restrooms have been added to comply with Chapter 29 requirements. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

16-10-32 Vexor Energy Gary Operations, Gary

Clifford Matthew, Enspect Inc, and Steve Barry, Vexor Energy, spoke as proponents. The request was to omit sprinklers in the pre-engineered, steel building due to the 1¼" water line service. The building is used to keep the recycled materials being loaded for transport from being exposed to the weather. The building is 50 feet from other structures. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

16-10-33(a)(b)(c)(d) Heritage Hills High School Addition, Lincoln City

Ed Rensink, RTM Consultants, spoke as proponent. Variances (a),(b), and (c) were eligible for the block vote. Commissioner Scheurich moved to approve all three, with the second by Commissioner Jordan. It was voted upon and carried. Variance (d) was to allow three existing exterior exits from the gym to be closed with three remaining exits to be re-routed through the commons area to the east of the gym to four exterior exits. Temporary exit signage will be posted and fire drills done to familiarize students and staff with the plan. A firewatch will be posted for occupancies over 1,000 in the gym. Following discussion, Commissioner Von Deylen moved to

approve with the condition that a fire watch will be posted for occupancies over 1,000 in the gym until August 2018. Commissioner Furnish made the second. It was voted upon and carried.

16-10-34 Red Tail Farm Event Barn, Goshen

Carrie Ballinger, RTM Consultants, spoke as proponent. The request was to allow the use of Chapter 34 to convert a barn to an A occupancy. A structural evaluation is being conducted, and the building will pass Chapter 34 evaluation with the installation of smoke/heat detection throughout. Adequate exits will be provided, including a code compliant stairway from the mezzanine. New restrooms have been added to comply with Chapter 29. Following discussion, Commissioner Von Deylen moved to table to allow the results of the structural evaluation to be submitted to staff. Commissioner Hite made the second. It was voted upon and carried.

16-10-36 Fear Factory, Ft. Wayne

Matthew Kelty, Kelty Tappy Design, and Brian Schaper, owner, spoke as proponents. An abandoned manufacturing building from the 1920's is to be used for a haunted house. The portion of the building being used for the haunted house is separated from the rest of the building by a 2-hour fire wall. The request was to omit the required sprinklers for this season, allowing the owner to gather the necessary funds to sprinkle next season. The house is to be open Friday and Saturday for four weeks in October, and a fire watch will be posted during all hours of operations. No use of the second floor is to be allowed, and all haunted house requirements are to be met. Following discussion, Commissioner Von Deylen moved to approve with the condition that a fire watch be posted during hours of operation, the facility is to be sprinklered by October 1, 2017, and there is to be no use of any kind of the second floor. Commissioner Hite made the second. It was voted upon and carried.

16-10-37 Eicher and Sons Lumber, Harlan

Matthew Kelty, Kelty Tappy Design, spoke as proponent. A 60" diameter saw will be used to cut dimensional lumber, and the request was to omit the sprinkler system required by code. The owner will be installing an NFPA 664 dust removal system. Following discussion, Commissioner Von Deylen moved to approve with the condition the NFPA 664 dust removal system be installed. Commissioner Hite made the second. It was voted upon and carried.

16-10-38 Wabash County Haunted Barns, Wabash

Mary Hollingsburg spoke as proponent. The open-sided pig barn, used during the summer for 4-H Fair events, will be used for 10 days in October for a haunted house. The request was to omit the required sprinklers. The staff included three volunteer firefighters. A 3,000 gallon water tank with hose is on site as well. Following discussion, Commissioner furnish moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-10-40 Comfort Inn South Indianapolis Pool, Indianapolis

No proponent was present for questions. Commissioner Scheurich moved to table, with the second by Commissioner Jordan. It was voted upon and carried.

16-10-41 McDonalds Muncie ACE, Muncie

Christina Collester, RTM Consultants, spoke as proponent. An addition of 520 square feet to the front dining area of the existing building and an addition to the walk-in cooler/freezer to the rear of the building were being done to comply with corporate policies. The request was to allow the additions without providing the sprinklers. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

16-10-42 The Cyrus Place, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. The request was to allow a score of 0 for vertical openings in lieu of a -10.5 in the Chapter 34 evaluation. The building is listed on the National Register of Historic Places, and altering the doors to fully comply with vertical openings requirements would not maintain the nature of the building. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

16-10-44(a)(b)(c) The Sanitarium, Chesterfield

Diana Smith, Community LTC, spoke as proponent. A metal and block building had been rented to be used for a haunted house. There were no sprinklers or monitored smoke alarm system. There are now 17 smoke detectors and 6 fire extinguishers in the building. Additional emergency lighting has been installed. Staff has been trained in using the extinguishers, and two of the volunteers which help with security are volunteer firemen. Following discussion, Commissioner Von Deylen moved to approve (a),(b), and (c) with the condition that a firewatch be posted, and the variance is valid until November 1, 2016. Commissioner Hite made the second. It was voted upon and carried.

Incomplete

17033(a)(b)(c) Cromwell Hall Renovation, Terre Haute
17043(a)(b) Woodland Terrace of new Palestine, New Palestine
17047 Pike High School, Indianapolis
17091(a)(b) The Center, Indianapolis
17100 Zionsville Town Hall, Zionsville
17118 Giant Eagle GetGo Store, Zionsville
17119 Fairfield Inn & Suites, Anderson
17122(a)(b) Holy Family Residential Care Facility, Huntington

17125 Family Activity Center, Noblesville
17126 cottage 2 Activity room Addition, Jeffersonville
17146(a)(b) Park 10 Flats Building, Indianapolis
17156(a)(b) Evansville Christian High School, Newburgh

Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

9. Discussion and Commission Action administrative law judge decision

Regal Adult Day Services
Administrative Cause No. DHS-1520-FPBSC-015
Notice of Substitution of Administrative Law Judge

James Schmidt noted that this item was for information only and required no action. None was taken.

Regal Adult Day Services
Administrative Cause No. DHS-1520-FPBSC-015
Non-final Order of Dismissal

Commissioner Von Deylen moved to affirm, with the second by Commissioner Hite. It was voted upon and carried.

10. Designation of Brad Gavin as ALJ for Indiana Grand Stables administrative appeal

Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

11. Comments

Chairman Hawkins thanked everyone for their hard work, and gave a special thanks to Commissioner Furnish for "hobbling in" to attend while in a leg brace. Commissioner Brown asked to revisit Agenda Item #9, and was told it had been heard earlier in the meeting to allow the Vice-Chairman to step in for the Chairman who needed to abstain from this item. It had been discussed, and had been denied and dismissed by the Commission. A member of the audience tried to ask about the decision and was told it was inappropriate for the Commission to address an administrative proceeding and to please speak to Mr. Schmidt. The meeting was then closed at 3:41 p.m.

Approved _____
John Hawkins, Chairman

